

REMARKS

The Office Action dated June 23, 2004, has been received and carefully noted. The above amendments and the following remarks are submitted as a full and complete response thereto.

By this Amendment, claims 36-46 have been added. The Applicant respectfully requests that claims 36-46 be entered in the application. Claims 36-46 correspond to original claims 25-35 which were inadvertently canceled in the Preliminary Amendment dated August 23, 2003. No new matter has been added. Claims 36-46 are pending and respectfully submitted for consideration.

During a telephone conference in July 27, 2004, the Applicants representative confirmed with the Examiner that claims 36-46 can be entered into the application and elected. The Applicant appreciates the Examiner's consideration of entry of claims 36-46.

The Applicant now addresses the Election of Species Requirement made in the Office Action dated June 23, 2004. The Office Action stated that the application contained claims directed to four (4) patentably distinct species of the claimed invention. The Office Action required the Applicant, under 35 U.S.C. § 121, to elect a single species for prosecution on the merits. The four species identified in the Office Action are:

<u>SPECIES</u>	<u>FIGURES</u>
Species 1	2A, 2B, 3
Species 2	4, 5A, 6
Species 3	15, 16

The Applicant notes that Fig. 5B should be included with Species 2. Pursuant to the election of species requirement, the Applicant provisionally elects without traverse prosecution on the merits of Species 4, which the Applicant submits are directed to claims 15 and 16. However, the Applicant respectfully submits that there are two (2) distinct species in this application, rather than the four (4) species indicated by the Examiner. In particular, the Applicant submits that the two (2) species correspond to the following figures and claims:

<u>SPECIES</u>	<u>FIGURES</u>	<u>CLAIMS</u>
Species 1	1-10	1-16
Species 2	15-19	36-46

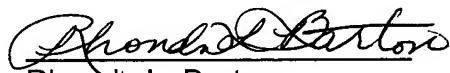
Species 1, is directed to a grill device, folded and unfolded. Claims 1-16 are directed to the grill and fuel lighting device. Species 2 is directed to a reconfigurable lighting device shown in Figures 15 and 16. Figures 17-19 show different views of the same device of Figures 15 and 16. Claims 36-46 are directed to a reconfigurable lighting device. If the Examiner agrees with the above-stated position set forth by the Applicant, the Applicant elects Species 2 directed to Figures 15-19 and recited in claims 36-46, without traverse

The Applicant also reserves the right to file one or more divisional applications directed to the non-elected species.

With the above election, the Applicant respectfully submits that the application is in condition for examination on the merits. An early examination and favorable action is respectfully solicited.

In the event this paper is not considered to be timely filed, the Applicant respectfully petitions for an appropriate extension of time. Any fees for such an extension, together with any additional fees that may be due with respect to this paper, may be charged to Counsel's Deposit Account No. 01-2300, **referencing Attorney Docket No. 026049-00005.**

Respectfully submitted,



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Enclosure: Petition for Extension of Time (one-month)